IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ALPHONZA LEONA	RD PHILLIP THOMAS,)	
	Plaintiff,)	
V •)	1:22CV271
JOE BIDEN,)	
	Defendant.)	

ORDER

The Order and Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on November 1, 2022, was served on the parties in this action. (Doc. 3.) Plaintiff filed an objection to the Recommendation. (Doc. 9.)

The court has appropriately reviewed the Magistrate Judge's report, as well as Plaintiff's objections, and has made a de novo determination in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that this action is DISMISSED without prejudice to Plaintiff filing an action using the proper forms completed and signed by Plaintiff.¹

/s/ Thomas D. Schroeder United States District Judge

February 13, 2023

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 $^{^{1}}$ To the extent Plaintiff intended to proceed under 28 U.S.C. § 2254, he has now filed on the proper forms in case number 1:23cv35, and his claims will be considered and addressed separately in that case.